

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cv-23727-ALTMAN/Reid

ARANTZA CASTRO,

Plaintiff,

v.

ALDI (FLORIDA) L.L.C.

d/b/a ALDI,

Defendant.

ORDER

“Courts have the inherent authority to control the proceedings before them, which includes the authority to impose reasonable and appropriate sanctions.” *Martin v. Automobili Lamborghini Exclusive, Inc.*, 307 F.3d 1332, 1335 (11th Cir. 2002). Rule 41 of the Federal Rules of Civil Procedure also grants courts the authority to dismiss an action because of a plaintiff’s failure to comply with court orders. *See* FED. R. CIV. P. 41(b) (“If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.”); *see also Goforth v. Owens*, 766 F.2d 1533, 1535 (11th Cir. 1985) (“The court’s power to dismiss is an inherent aspect of its authority to enforce its orders and insure prompt disposition of lawsuits.”).

The parties have failed to comply with our orders. On December 12, 2023, we stayed and closed this case and directed the parties *either* to file a Notice of Settlement *or* to move to reopen the case by January 15, 2024. *See* Order Following Status Conference [ECF No. 22]. When the parties failed to do either by that date, we *sua sponte* extended their deadline to January 22, 2024. *See* Paperless Order [ECF No. 23]. But we warned the parties that, “[i]f, by that date, [they] haven’t filed anything, we will dismiss this case for failure to comply with a court order.” *Ibid.* That date has passed, and the parties *still* haven’t filed a notice of settlement or a motion for extension of time. *See generally* Docket.

Because the parties have failed to comply with our orders—despite our clear warning that their failure to comply would result in dismissal without further notice—we now exercise our “authority to enforce [our] orders and [e]nsure prompt disposition of lawsuits,” *Goforth*, 766 F.2d at 1535, and **DISMISS** this action.

Accordingly, we hereby **ORDER AND ADJUDGE** as follows:

1. This case is **DISMISSED without prejudice** for failure to comply with Court orders.

This case shall remain **CLOSED**.

2. All pending deadlines and hearings are **TERMINATED**, and all pending motions are **DENIED as MOOT**.

DONE AND ORDERED in the Southern District of Florida on January 23, 2024.

A handwritten signature in black ink, appearing to read 'Roy K. Altman', written over a horizontal line.

ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record